

106TH CONGRESS
1ST SESSION

S. 1482

To amend the National Marine Sanctuaries Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 4, 1999

Ms. SNOWE (for herself, Mr. KERRY, Mr. MCCAIN, Mr. HOLLINGS, and Mr. BREAUX) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend the National Marine Sanctuaries Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Marine Sanc-
5 tuaries Amendments Act of 1999”.

6 **SEC. 2. AMENDMENT OF NATIONAL MARINE SANCTUARIES**
7 **ACT.**

8 Except as otherwise expressly provided, whenever in
9 this Act an amendment or repeal is expressed in terms
10 of an amendment or repeal to, or repeal of, a section or

1 other provision, the reference shall be considered to be
2 made to a section or other provision of the National Ma-
3 rine Sanctuaries Act (16 U.S.C. 1431 et seq.).

4 **SEC. 3. CHANGES IN FINDINGS, PURPOSES, AND POLICIES.**

5 (a) AMENDMENT OF FINDINGS.—Section 301(a) (16
6 U.S.C. 1431(a)) is amended—

7 (1) by striking “research, educational, or aes-
8 thetic” in paragraph (2) and inserting “scientific,
9 educational, cultural, archaeological, or aesthetic”;

10 (2) by inserting “ecosystem” after “comprehen-
11 sive” in paragraph (3);

12 (3) by striking “wise use” in paragraph (5) and
13 inserting “sustainable use”;

14 (4) by striking “and” after the semicolon in
15 paragraph (5);

16 (5) by striking “protection of these” in para-
17 graph (6) and inserting “protecting the biodiversity,
18 habitats, and qualities of such”; and

19 (6) by inserting “and the values and ecological
20 services they provide” in paragraph (6) after “living
21 resources”.

22 (b) AMENDMENT OF PURPOSES AND POLICIES.—
23 Section 301(b) (16 1431(b)) is amended—

1 (1) by striking “significance;” in paragraph (1)
2 and inserting “significance and to manage these
3 areas as the National Marine Sanctuary System;”;

4 (2) by striking paragraph (3) and inserting the
5 following:

6 “(3) to maintain natural biodiversity and bio-
7 logical communities, and to protect, and where ap-
8 propriate, restore, and enhance natural habitats,
9 populations, and ecological processes;”;

10 (3) by striking “understanding, appreciation,
11 and wise use of the marine environment;” in para-
12 graph (4) and inserting “understanding, and appre-
13 ciation of the natural, historical, cultural, and ar-
14 chaeological resources of national marine sanc-
15 tuaries;”;

16 (4) by redesignating paragraphs (5) through
17 (9) as paragraphs (6) through (10), and inserting
18 after paragraph (4) the following:

19 “(5) to support, promote, and coordinate sci-
20 entific research on, and long-term monitoring of, the
21 resources of these marine areas;”;

22 (5) by striking “areas;” in paragraph (8), as re-
23 designated, and inserting “areas, including the ap-
24 plication of innovative management techniques;
25 and”;

1 (6) by striking “marine resources; and” in
 2 paragraph (9), as redesignated, and inserting “ma-
 3 rine and coastal resources.”; and

4 (7) by striking paragraph (10), as redesignated.

5 **SEC. 4. CHANGES IN DEFINITIONS.**

6 Section 302 (16 U.S.C. 1432) is amended—

7 (1) by striking “304(a)(1)(C)(v)” in paragraph
 8 (1) and inserting “304(a)(2)(A)”;

9 (2) by striking “ ‘Magnuson” in paragraph (2)
 10 and inserting “ ‘Magnuson-Stevens”;

11 (3) by striking “and” after the semicolon in
 12 subparagraph (B) of paragraph (6);

13 (4) by striking “resources;” in subparagraph
 14 (C) of paragraph (6) and inserting “resources; and”;

15 (5) by inserting after paragraph (6)(C) the fol-
 16 lowing:

17 “(D) the cost of curation and conservation
 18 of archaeological, historical, and cultural sanc-
 19 tuary resources;”;

20 (6) by striking “injury;” in paragraph (7) and
 21 inserting “injury, including enforcement activities re-
 22 lated to any incident;”

23 (7) by striking “educational, or ” in paragraph
 24 (8) and inserting “educational, cultural, archae-
 25 ological,”;

1 (8) by striking “and” after the semicolon in
2 paragraph (8);

3 (9) by striking “Magnuson Fishery Conserva-
4 tion and Management Act.” in paragraph (9) and
5 inserting “Magnuson-Stevens Act;”; and

6 (10) by adding at the end thereof the following:

7 “(10) ‘system’ means the National Marine
8 Sanctuary System established by section 303; and

9 “(11) ‘person’ has the meaning given that term
10 by section 1 of title 1, United States Code, but in-
11 cludes a department, agency, and instrumentality of
12 the government of the United States, a State, or a
13 foreign Nation.”.

14 **SEC. 5. CHANGES IN SANCTUARY DESIGNATION STAND-**
15 **ARDS.**

16 Section 303 (16 U.S.C. 1433) is amended—

17 (1) by striking the section caption and inserting
18 the following:

19 **“SEC. 303. NATIONAL MARINE SANCTUARY SYSTEM.”;**

20 (2) by striking subsection (a) and inserting the
21 following:

22 “(a) ESTABLISHMENT OF SYSTEM.—There is estab-
23 lished the National Marine Sanctuary System, which shall
24 consist of national marine sanctuaries designated by the
25 Secretary in accordance with this title.”;

1 (3) by striking paragraph (3) of subsection (b),
 2 and redesignating paragraphs (1) and (2) as para-
 3 graphs (2) and (3);

4 (4) by striking so much of subsection (b) as
 5 precedes paragraph (2), as redesignated, and insert-
 6 ing the following:

7 “(b) SANCTUARY DESIGNATION STANDARDS.—

8 “(1) IN GENERAL.—Before designating an area
 9 of the marine environment as a national marine
 10 sanctuary, the Secretary shall find that—

11 “(A) the area is of special national signifi-
 12 cance due to its—

13 “(i) biodiversity;

14 “(ii) ecological importance;

15 “(iii) archaeological, cultural, or his-
 16 torical importance; or

17 “(iv) human-use values;

18 “(B) existing State and Federal authorities
 19 should be supplemented to ensure coordinated
 20 and comprehensive conservation and manage-
 21 ment of the area, including resource protection,
 22 scientific research, and public education;

23 “(C) designation of the area as a national
 24 marine sanctuary will facilitate the objectives in
 25 subparagraph (B); and

1 “(D) the area is of a size and nature that
2 will permit comprehensive and coordinated con-
3 servation and management.”;

4 (5) by striking “subsection (a)” in paragraph
5 (2), as redesignated, and inserting “paragraph (1)”;

6 (6) by redesignating subparagraphs (E)
7 through (I) of paragraph (2), as redesignated, as
8 paragraphs (F) through (J), and inserting after
9 paragraph (D) the following:

10 “(E) the areas’s scientific value and value
11 for monitoring as a special area of the marine
12 environment;”;

13 (7) by redesignating subparagraphs (H), (I),
14 and (J), as redesignated, as subparagraphs (I), (J),
15 and (K) and by inserting after subparagraph (G), as
16 redesignated, the following:

17 “(H) the feasibility, where appropriate, of
18 employing innovative management approaches
19 to protect sanctuary resources or to manage
20 compatible uses;”;

21 (8) by striking “vital habitats, and resources
22 which generate tourism;” in subparagraph (I), as re-
23 designated, and inserting “and vital habitats;”;

1 (9) by redesignating subparagraphs (J) and (K)
2 as subparagraphs (K) and (L), and inserting after
3 subparagraph (I) the following:

4 “(J) the value of the area as an addition
5 to the System;”; and

6 (10) by striking “Merchant Marine and Fish-
7 eries” in subparagraph (A) of paragraph (3), as re-
8 designated, and inserting “Resources”;

9 (11) by inserting after “Administrator” in sub-
10 paragraph (B) of paragraph (3), as redesignated the
11 following: “of the Environmental Protection Agen-
12 cy,”; and

13 (12) by adding at the end of subsection (b) the
14 following:

15 “(4) REQUIRED FINDINGS.—

16 “(A) NEW DESIGNATIONS.—Before begin-
17 ning the designation process for any sanctuary
18 that is not a designated sanctuary before Janu-
19 ary 1, 2000, the Secretary shall make, and sub-
20 mit to the Congress, a finding that each des-
21 ignated sanctuary has—

22 “(i) an operational level of facilities,
23 equipment, and employees;

1 “(ii) a list of priorities it considers
 2 most urgent and a strategy to address
 3 those priorities;

4 “(iii) a plan and schedule to complete
 5 site characterization studies to inventory
 6 existing sanctuary resources, including cul-
 7 tural resources; and

8 “(iv) a plan for enforcement of the
 9 Act within its boundaries, including part-
 10 nerships with adjacent States or other au-
 11 thorities.

12 “(B) EXCEPTION.—Subparagraph (A)
 13 does not apply to any draft management plan,
 14 draft environmental impact statement, or pro-
 15 posed regulation for a Thunder Bay National
 16 Marine Sanctuary.”.

17 **SEC. 6. CHANGES IN PROCEDURES FOR DESIGNATION AND**
 18 **IMPLEMENTATION.**

19 (a) CHANGES IN NOTICE REQUIREMENTS.—Section
 20 304(a) (16 U.S.C. 1434(a)) is amended—

21 (1) by striking paragraph (1)(C) and inserting
 22 the following:

23 “(C) on the same day the notice required
 24 by subparagraph (A) is submitted to the Office
 25 of the Federal Register, the Secretary shall sub-

1 mit a copy of the notice and the draft sanctuary
2 designation documents prepared under para-
3 graph (2) to the Committee on Resources of the
4 House of Representatives and the Committee
5 on Commerce, Science, and Transportation of
6 the Senate.”;

7 (2) by redesignating paragraphs (2) through
8 (6) as paragraphs (3) through (7), and inserting the
9 following after paragraph (1):

10 “(2) SANCTUARY DESIGNATION DOCUMENTS.—

11 The Secretary shall prepare sanctuary designation
12 documents on the proposal that include the fol-
13 lowing:

14 “(A) A draft environmental impact state-
15 ment under paragraph (3).

16 “(B) A management plan document, which
17 the Secretary shall make available to the public,
18 containing—

19 “(i) the terms of the proposed des-
20 ignation;

21 “(ii) proposed mechanisms to coordi-
22 nate existing regulatory and management
23 authorities within the area;

24 “(iii) the proposed goals and objec-
25 tives, management responsibilities, re-

1 source studies, and appropriate strategies
2 for managing sanctuary resources, includ-
3 ing innovative approaches such as marine
4 zoning, interpretation and education, re-
5 search, monitoring and assessment, re-
6 source protection, restoration, and enforce-
7 ment (including surveillance activities for
8 the area);

9 “(iv) an evaluation of the advantages
10 of cooperative State and Federal manage-
11 ment if all or part of a proposed marine
12 sanctuary is within the territorial limits of
13 a State, or is superjacent to the subsoil
14 and seabed within the seaward boundary of
15 a State (as established under the Sub-
16 merged Lands Act (43 U.S.C. 1301 et
17 seq.);

18 “(v) an estimate of the annual cost to
19 the Federal government of the proposed
20 designation, including costs of personnel,
21 equipment and facilities, enforcement, re-
22 search, and public education; and

23 “(vi) the regulations proposed under
24 paragraph (1)(A).

1 “(C) Maps depicting the boundaries of the
2 proposed sanctuary.

3 “(D) A statement of the basis for the find-
4 ings made under section 303(b)(2).

5 “(E) An assessment of the considerations
6 under section 303(b)(1).

7 “(F) A resource assessment that
8 includes—

9 “(i) present and potential uses of the
10 area, including commercial and rec-
11 reational fishing, research and education,
12 minerals and energy development, subsist-
13 ence uses, and other commercial, govern-
14 mental, or recreational uses;

15 “(ii) a discussion, prepared after con-
16 sultation with the Secretary of the Interior,
17 of any commercial, governmental, or rec-
18 reational resource uses in the areas that
19 are subject to the primary jurisdiction of
20 the Department of the Interior; and

21 “(iii) information prepared in con-
22 sultation with the Secretary of Defense,
23 the Secretary of Energy, and the Adminis-
24 trator of the Environmental Protection
25 Agency, on any past, present, or proposed

1 future disposal or discharge of materials in
2 the vicinity of the proposed sanctuary.”.

3 (b) OTHER NOTICE-RELATED CHANGES.—Section
4 304(a) (16 U.S.C. 1434(a)) is further amended—

5 (1) by striking “as provided by” in subpara-
6 graph (A) of paragraph (3), as redesignated, and in-
7 serting “under”;

8 (2) by inserting “cultural, archaeological,” after
9 “educational,” in paragraph (4), as redesignated;

10 (3) by striking “only by the same procedures by
11 which the original designation is made.” in para-
12 graph (4), as redesignated, and inserting “by fol-
13 lowing the applicable procedures of the National En-
14 vironmental Policy Act of 1969 (42 U.S.C. 4321 et
15 seq.) and chapter 5 of title 5, United States Code.”;

16 (4) by inserting “this Act and” after “objectives
17 of” in the second sentence of paragraph (6), as re-
18 designated; and

19 (5) by striking “Merchant Marine and Fisheries
20 Resources” in paragraph (7), as redesignated, and
21 inserting “Resources”.

22 (c) OTHER CHANGES.—Section 304 (16 U.S.C.
23 1434) is amended—

24 (1) by inserting “or the national system” in
25 subsection (b)(2) after “sanctuary”;

1 (2) by striking “management techniques,” in
2 subsection (e) and inserting “management tech-
3 niques and strategies,”; and

4 (3) by striking “title.” in subsection (e) and in-
5 serting “title. This review shall include a
6 prioritization of management objectives.”

7 **SEC. 7. CHANGES IN ACTIVITIES PROHIBITED.**

8 Section 306 (16 U.S.C. 1436) is amended—

9 (1) by striking “sell,” in paragraph (2) and in-
10 serting “offer for sale, sell, purchase, import, ex-
11 port,”; and

12 (2) by striking paragraph (3) and inserting the
13 following:

14 “(3) interfere with the enforcement of this title
15 by—

16 “(A) refusing to permit any authorized of-
17 ficer to board a vessel, other than a vessel oper-
18 ated by the Department of Defense or United
19 States Coast Guard, subject to such person’s
20 control for the purpose of conducting a search
21 or inspection in connection with the enforce-
22 ment of this title;

23 “(B) assaulting, resisting, opposing, im-
24 peding, intimidating, or interfering with any au-

thorized officer in the conduct of any search or inspection under this title;

“(C) submitting false information to the Secretary or any officer authorized by the Secretary in connection with any search or inspection under this title; or

“(D) assaulting, resisting, opposing, impeding, intimidating, harassing, bribing, or interfering with any person authorized by the Secretary to implement the provisions of this title; or”.

SEC. 8. CHANGES IN ENFORCEMENT PROVISIONS.

Section 307 (16 U.S.C. 1437) is amended—

(1) by redesignating paragraphs (1) through (5) of subsection (b) as paragraphs (2) through (6), and inserting before paragraph (2) the following:

“(1) arrest any person, if there is reasonable cause to believe that the person has committed an act prohibited by section 306(3);”;

(2) by redesignating subsections (c) through (j) as subsections (d) through (k), and inserting after subsection (b) the following:

“(c) CRIMINAL OFFENSES.—

“(1) IN GENERAL.—Violation of section 306(3) is punishable by a fine under title 18, United States

1 Code, imprisonment for not more than 6 months, or
2 both.

3 “(2) AGGREGATED VIOLATIONS.—If a person in
4 the course of violating section 306(3)—

5 “(A) uses a dangerous weapon,

6 “(B) causes bodily injury to any person
7 authorized to enforce this title or to implement
8 its provisions, or

9 “(C) causes such a person to fear immi-
10 nent bodily injury,

11 then the violation is punishable by a fine under title
12 18, United States Code, imprisonment for not more
13 than 10 years, or both.”;

14 (3) by redesignating subsections (e) through
15 (k), as redesignated, as subsections (f) through (l),
16 respectively, and by inserting after subsection (d), as
17 redesignated, the following:

18 “(e) JUDICIAL CIVIL PENALTIES.—The Secretary
19 may bring an action to access and collect any civil penalty
20 for which a person is liable under paragraph (d)(1) in the
21 United States district court for the district in which the
22 person from whom the penalty is sought resides, in which
23 such person’s principal place of business is located, or
24 where the incident giving rise to civil penalties under this
25 section occurred.”;

1 (4) by inserting “electronic files,” after
2 “books,” in subsection (h), as redesignated; and
3 (5) by redesignating subsections (i) through (l),
4 as designated, as subsections (j) through (m), and
5 by inserting after subsection (h), as redesignated,
6 the following:

7 “(i) NATIONWIDE SERVICE OF PROCESS.—In any ac-
8 tion by the United States under this chapter, process may
9 be served in any district where the defendant is found,
10 resides, transacts business, or has appointed an agent for
11 the service of process.”.

12 **SEC. 9. ADDITIONAL REGULATIONS AUTHORITY ADDED.**

13 Section 308 (16 U.S.C. 1439) is amended to read as
14 follows:

15 **“SEC. 308. REGULATIONS AND SEVERABILITY.**

16 “(a) REGULATIONS.—The Secretary may issue such
17 regulations as may be necessary to carry out this title.

18 “(b) SEVERABILITY.—If any provision of this title,
19 or the application thereof to any person or circumstance,
20 is held invalid, the validity of the remainder of this title
21 and of the application of that provision to other persons
22 and circumstances shall not be affected.”.

1 **SEC. 10. CHANGES IN RESEARCH, MONITORING, AND EDU-**
2 **CATION PROVISIONS.**

3 Section 309 (16 U.S.C. 1440) is amended to read as
4 follows:

5 **“SEC. 309. RESEARCH, MONITORING, AND EDUCATION PRO-**
6 **GRAMS AND INTERPRETIVE FACILITIES.**

7 “(a) IN GENERAL.—The Secretary shall conduct,
8 support, or coordinate research, monitoring, evaluation,
9 and education programs necessary and reasonable to carry
10 out the purposes and policies of this title.

11 “(b) RESEARCH AND MONITORING.—The Secretary
12 may support, promote, and coordinate appropriate re-
13 search on, and long-term monitoring of, the resources and
14 human uses of marine sanctuaries, as is consistent with
15 the purposes and policies of this title. In carrying out this
16 subsection the Secretary may consult with Federal agen-
17 cies, States, local governments, regional agencies, inter-
18 state agencies, or other persons, and coordinate with the
19 National Estuarine Research Reserve System.

20 “(c) EDUCATION AND INTERPRETIVE FACILITIES.—
21 The Secretary may establish facilities or displays—

22 “(1) to promote national marine sanctuaries
23 and the purposes and policies of this title; and

24 “(2) either solely or in partnership with other
25 persons, under an agreement under section 311.”.

1 **SEC. 11. CHANGES IN SPECIAL USE PERMIT PROVISIONS.**

2 Section 310 (16 U.S.C. 1441) is amended—

3 (1) by redesignating subsections (b) through (e)
4 as subsections (c) through (f), and by inserting after
5 subsection (a) the following:

6 “(b) PUBLIC NOTICE REQUIRED.—The Secretary
7 shall provide appropriate public notice before identifying
8 any activity subject to a special use permit under sub-
9 section (a).”;

10 (2) by striking “insurance” in paragraph (4) of
11 subsection (c), as redesignated, and inserting “insur-
12 ance, or post an equivalent bond,”;

13 (3) by striking “resource and a reasonable re-
14 turn to the United States Government.” in para-
15 graph (2)(C) of subsection (d), as redesignated, and
16 inserting “resource.”;

17 (4) by redesignating paragraph (3) of sub-
18 section (d), as redesignated, as paragraph (4), and
19 by inserting after paragraph (2) thereof the fol-
20 lowing:

21 “(3) WAIVER OR REDUCTION OF FEES.—The
22 Secretary may waive or reduce fees under this sub-
23 section, or accept in-kind contributions in lieu of
24 fees under this subsection, for activities that do not
25 derive profit from the access to and use of sanctuary

1 resources or that the Secretary considers to be bene-
 2 ficial to the system.”; and

3 (5) by striking “designating and” in paragraph
 4 (4)(B) of subsection (d), as redesignated.

5 **SEC. 12. CHANGES IN COOPERATIVE AGREEMENTS PROVI-**
 6 **SIONS.**

7 Section 311 (16 U.S.C. 1442) is amended—

8 (1) by adding at the end of subsection (a) the
 9 following: “Notwithstanding any other provision of
 10 law to the contrary, the Secretary may apply for, ac-
 11 cept, and use grants from Federal agencies, States,
 12 local governments, regional agencies, interstate
 13 agencies, foundations, or other persons, to carry out
 14 the purposes and policies of this title.”; and

15 (2) by redesignating subsections (b), (c), and
 16 (d) as subsections (c), (d), and (e), and inserting
 17 after subsection (a) the following:

18 “(b) USE OF STATE AND FEDERAL AGENCY RE-
 19 SOURCES.—The Secretary may, whenever appropriate, use
 20 by agreement the personnel, services, or facilities of de-
 21 partments, agencies, and instrumentalities of the govern-
 22 ment of the United States or of any State or political sub-
 23 division thereof on a reimbursable or non-reimbursable
 24 basis to assist in carrying out the purposes and policies
 25 of this title.”.

1 **SEC. 13. CHANGES IN PROVISIONS CONCERNING DESTRU-**
2 **CTION, LOSS, OR INJURY.**

3 (a) LIABILITY.—Section 312 (16 U.S.C. 1443(a)) is
4 amended—

5 (1) by striking “used to destroy, cause the loss
6 of, or injure” in subsection (a)(2) and inserting
7 “that destroys, causes the loss of, or injures”;

8 (2) by inserting “or vessel” after “person” in
9 subsection (a)(4);

10 (3) by inserting “(as defined in section
11 302(11))” after “damages” in subsection (b)(2);

12 (4) by striking “vessel who” in subsection (c)
13 and inserting “vessel that”;

14 (5) by striking “person may” in subsection (c)
15 and inserting “person or vessel may”;

16 (6) by inserting “by the Secretary” after
17 “used” in subsection (d); and

18 (7) by adding at the end of subsection (d) the
19 following:

20 “(4) STATUTE OF LIMITATIONS.—An action for
21 response costs and damages under subsection (c)
22 may not be brought more than 2 years after the
23 date of completion of the relevant damage assess-
24 ment and restoration plan prepared by the Sec-
25 retary.”.

1 **SEC. 14. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 313 (16 U.S.C. 1444) is amended by striking
3 paragraphs (1), (2), and (3) and inserting the following:

4 “(1) \$30,000,000 for fiscal year 2000;

5 “(2) \$32,000,000 for fiscal year 2001;

6 “(3) \$34,000,000 for fiscal year 2002;

7 “(4) \$36,000,000 for fiscal year 2003; and

8 “(5) \$38,000,000 for fiscal year 2004.”.

9 **SEC. 15. CHANGES IN U.S.S. MONITOR PROVISIONS.**

10 Section 314 (16 U.S.C. 1445) is amended by striking
11 subsection (b) and redesignating subsection (c) as sub-
12 section (b).

13 **SEC. 16. CHANGES IN ADVISORY COUNCIL PROVISIONS.**

14 Section 315 (16 U.S.C. 1446) is amended by striking
15 “provide assistance” in subsection (a) and inserting “ad-
16 vise and make recommendations”.

17 **SEC. 17. CHANGES IN THE SUPPORT ENHANCEMENT PROVI-**
18 **SIONS.**

19 Section 316 (16 U.S.C. 1447) is amended—

20 (1) by striking “use” in subsection (a)(4) and
21 inserting “manufacture, reproduction, or other use”;

22 (2) by striking “sanctuaries;” in subsection
23 (a)(4) and inserting “sanctuaries or by persons that
24 enter cooperative agreements with the Secretary
25 under subsection (f);”;

1 (3) by striking “symbols” in subsection (a)(6)
 2 and inserting “symbols, including sale of items bear-
 3 ing the symbols,”;

4 (4) striking “Secretary; and” in paragraph (3)
 5 of subsection (f), as redesignated, and inserting
 6 “Secretary, or without prior authorization under
 7 subsection (a)(4); or”; and

8 (5) by adding at the end thereof the following:

9 “(f) AUTHORIZATION FOR NON-PROFIT ORGANIZA-
 10 TION To SOLICIT SPONSORS.—

11 “(1) IN GENERAL.—The Secretary may enter
 12 into an agreement with a non-profit organization au-
 13 thorizing it to assist in the administration of the
 14 sponsorship program established under this section.
 15 Under an agreement entered into under this para-
 16 graph, the Secretary may authorize the non-profit
 17 organization to solicit persons to be official sponsors
 18 of the national marine sanctuary program or of indi-
 19 vidual national marine sanctuaries, upon such terms
 20 as the Secretary deems reasonable and will con-
 21 tribute to the successful administration of the sanc-
 22 tuary system. The Secretary may also authorize the
 23 non-profit organization to collect the statutory con-
 24 tribution from the sponsor, and, subject to para-
 25 graph (2), transfer the contribution to the Secretary.

1 “(2) REIMBURSEMENT FOR ADMINISTRATIVE
2 COSTS.—Under the agreement entered into under
3 paragraph (1), the Secretary may authorize the non-
4 profit organization to retain not more than 5 percent
5 of the amount of monetary contributions it receives
6 from official sponsors under the agreement to offset
7 the administrative costs of the organization in solici-
8 ting sponsors.”.

○